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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/881,148	06/14/2001	Tsuyoshi Miyaki	393032025800	8268

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EXAMINER	
DUNN, MISHAWN N	

ART UNIT	PAPER NUMBER
2621	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/881,148	MIYAKI ET AL.	
	Examiner	Art Unit	
	Mishawn N. Dunn	2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 June 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-18* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *14 June 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *6/01,11/04,8/05*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 101

1. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 15-18 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims 15-18 define a storage medium embodying functional descriptive material. However, the claims do not define a computer-readable medium or memory and is thus non-statutory.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Suzuki et al. (US Pat. No. 6,331,851).

4. Consider claim 1. Suzuki et al. teaches a synchronous information reproduction apparatus comprising: a receiving section that is provided for sequentially receiving a clock signal; a storing section that is provided for storing object information to be

sequentially reproduced from a series of reproduction points; a reproduction point generating section that is provided for generating location information indicative of a reproduction point of the object information stored in the storing section; a reproducing section that is provided for reading and reproducing the object information from the storing section based on the reproduction point generated by the reproduction point generating section; a synchronizing section that is provided for synchronizing an incremental speed of the reproduction point generated by the reproduction point generating section with a reception timing of the clock signal based on a reception time interval of the clock signals; and an outputting section that is provided for outputting contents of the object information reproduced by the reproducing section (col. 20, line 44 – col. 22, line 18).

5. Consider claim 2. Suzuki et al. teaches the synchronous information reproduction apparatus according to claim 1, further comprising a reproduction point correcting section that is provided for measuring a time duration from a start of reproduction process of the object information by the reproducing section till an actual output of the object information from the outputting section, and for correcting the reproduction point in accordance with the measured time duration (col. 10, lines 38-64; fig. 1).

6. Consider claim 3. Suzuki et al. teaches the synchronous information reproduction apparatus according to claim 1, further comprising a control section operative when a command by a user, an out of synchronism between the clock signal and the object information, or a stop of supply of the clock signal is detected, for suspending the operation of the synchronizing section, and for controlling the reproduction point

generating section to generate the reproduction point at a predetermined incremental speed (col. 26, line 64 - col. 27, line 15; col. 31, lines 3-10).

7. Consider claim 4. Suzuki et al. teaches the synchronous information reproduction apparatus according to claim 1, wherein selection of the object information stored in the storing section and control of the reproduction process of the object information by the reproducing section are carried out in accordance with an externally supplied signal (col. 20, lines 44-47).

8. Consider claim 5. Suzuki et al. teaches the synchronous information reproduction apparatus according to claim 1, wherein the object information is divided into a series of blocks in correspondence with a series of the clock signals (figs. 28a-b).

9. Consider claim 6. Suzuki et al. teaches the synchronous information reproduction apparatus according to claim 1, wherein the clock signal is provided from an external music equipment (col. 26, line 64—col. 27, line 15).

10. Consider claim 7. Suzuki et al. teaches the synchronous information reproduction apparatus according to claim 1, wherein the clock signal is provided in the form of a timing message contained in MIDI data (col. 16, lines 59-67).

11. Consider claim 8. Suzuki et al. teaches the synchronous information reproduction apparatus according to claim 1, wherein the object information has multimedia contents selected from an image, a music waveform and a voice (col. 2, lines 29-24).

12. Consider claim 9. Suzuki et al. teaches a synchronous information reproduction apparatus comprising: a storing section that is provided for storing a plurality of object information; a reproduction point generating section that is provided for generating

location information indicative of respective reproduction points of the plurality of the object information stored in the storing section; a reproducing section that is provided for reading and reproducing the plurality of the object information concurrently with one another from the storing section based on the respective reproduction points generated by the reproduction point generating section; an outputting section that is provided for outputting contents of the plurality of the object information reproduced by the reproducing section; and a reproduction point correcting section that is provided for measuring a time duration of each object information from a start of reproduction process of the object information by the reproducing section till an actual output of the object information from the outputting section, and for correcting the respective reproduction points of the plurality of the object information in accordance with the measured time duration of each object information (col. 10, lines 38-64; col. 20, line 44 – col. 22, line 18; fig. 1).

13. Consider claim 12. Suzuki et al. teaches the synchronous information reproduction method according to claim 11, further comprising a reproduction point correction step of measuring a time duration from a start of processing in the reproduction step till an actual output of the object information and correcting the reproduction point in accordance with the measured time duration (col. 10, lines 38-64; fig. 1).

14. Consider claim 15. Suzuki et al. teaches a storage medium for storing therein a program for causing a computer to reproduce one or a plurality of object information stored in a storing section in synchronization with a clock signal, wherein the program

comprising: a reception step of sequentially receiving the clock signal; a generation step of generating location information indicative of a reproduction point of the object information; a reproduction step of reading and reproducing the object information from the storing section based on the reproduction point generated by the generation step; a synchronization step of synchronizing an incremental speed of the reproduction point generated by the generation step with a reception timing of the clock signal based on a reception time interval of the clock signals; and an output step of outputting contents of the object information reproduced in the reproduction step (col. 20, line 44 – col. 22, line 18; col. 35, lines 53-55)

15. Claims 10, 11, 13, 14, and 16-18 are rejected using similar reasoning as the corresponding claims above.

Conclusion

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. US Pat. No. 4,751,588

b. US Pat. No. 5,208,677

c. US Pat. No. 4,930,024

d. US Pat. No. 5,255,102

e. US Pat. No. 4,206,483

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mishawn N. Dunn whose telephone number is 571-272-7635. The examiner can normally be reached on Monday - Friday 7:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Mishawn Dunn
January 17, 2008